

रजिस्टर्ड नं० पी०/एस० एम० १४.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 7 अप्रैल, 1979/17 चैत्र, 1901

हिमाचल प्रदेश सरकार

FOOD AND SUPPLIES DEPARTMENT

ORDER

Simla-171002, the 17th February, 1979

No. Fds. A (3) 2/78.—Whereas the Governor of Himachal Pradesh is of the opinion that it is necessary and expedient so to do for regulating equitable and proper distribution system of specified essential commodities.

Now, therefore, in exercise of the powers conferred under section 3 (2) (d) of the Essential Commodities Act, 1955 the Governor of Himachal Pradesh is pleased to make the following order namely:—

1. Short title and commencement.—(1) This order may be called Himachal Pradesh Specified Essential Commodities (Regulation and Distribution) Order, 1979.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. Definition.—In this order unless the context otherwise requires:

- (1) 'Government' means Government of the State of Himachal Pradesh;
- (2) 'Director' means Director, Civil Supplies, Himachal Pradesh and any other officer authorised by the Government to administer this order or any of the clauses of this order;
- (3) 'Authorised wholesaler' means the institution who are authorised to deal in the wholesale business for the procurement of essential commodities allotted by the Government/Department and issue essential commodities to fair price shop for sale to the consumers on Distribution Card;
- (4) 'Distribution Document' means a household distribution card, permit or other document issued or made under or in pursuance of the provision of this order for obtaining supplies of any specified consumer articles;
- (5) 'Institution' means a hospital, a school or a College providing meals and included all other institution of a like nature as specified by the Government;
- (6) 'Consumer' means a person drawing any essential commodity through fair price shops against distribution card issued by the competent authority declared for the area concerned in which the consumer permanently or temporarily resides;
- (7) 'Fair Price Shop' means a shop recognized by the competent authority for sale of any essential commodity for the time being issued on distribution card by the Food and Supplies Department from time to time;
- (8) 'Competent authority' means an authority who issues distribution card to the consumers for obtaining supplies of essential commodities from the fair price shops;

Explanation I.—In urban areas the distribution card shall be issued by the District Food and Supplies Controller, District Inspector/Inspector/Sub-Inspector or any officer authorised by the District Food and Supplies Controller.

Explanation II.—In rural areas the distribution card shall be issued by the Pradhan of the Gram Panchayat in their respective jurisdiction and if there is no Panchayat, Pradhan and the Panchayat is defunct, the distribution card shall be issued by any official/officer authorised for the purpose by the respective District Food and Supplies Controller of the District;

- (9) 'Commodity' means a commodity of any essential commodity to be notified by the Director and to be issued on Distribution Card;
- (10) 'Depot Holder' means a person who has been authorised to run a fair price shop under the public distribution system;
- (11) 'Quantum' means a quantity of any essential commodity fixed for issue from time to time by the Director;
- (12) 'Application Form' means a form a specimen of which is appended to this order as Annexure 'A';
- (13) 'Family' means a joint family of all persons descended from a common ancestor who live, worship and mess together permanently as defined in the 'Parivar' register of the Panchayat but persons residing elsewhere due to their profession/business shall not be included in the family for the purpose of issue of ration card;
- (14) 'Public Distribution System' means a system which controlled commodities are distributed to consumers through a net work of fair price shop.

3. Specified Consumer article means an article declared by a notification in the Official Gazette to be a consumer article for distribution through fair price.

4. Shops Issue of authority to wholesalers and fair price shop holders.—With a view to controlling the distribution of any specified essential commodities, the Director or any officer authorised by him in writing in this behalf, may, by order authorise any person or body of a persons to be an authorised wholesaler or a fair price shop holder in respect of such specified consumer food articles for purposes of this order and thereupon such wholesaler or fair price shop holder, as the case may be, shall obtain the supply of specified consumer articles in accordance with the provisions of this order or any directions issued thereunder.

5. Supply by wholesalers.—No authorised wholesaler shall supply or offer or attempt to supply or cause to be supplied any specified consumer articles to any person other than a person who is a fair price shop holder or against a permit issued and except at such prices and in such quantum as may, from time to time be specified by the competent authority in this behalf and except under and, in accordance with the provisions of this order.

6. Supply of fair price shop holder.—No fair price shop holder shall sell or agree to sell or supply or agree to supply or cause to sell or supply specified consumer articles to any person except against the distribution card registered within or against special distribution card issued by the competent authority and except at such prices and in such quantum as may be specified by the competent authority in this behalf and except under and in accordance with the provisions made by or under this order.

7. Procedure for obtaining distribution card.—(i) Any person permanently residing or intending so to do and who desires to have distribution card shall apply in the form at annexure 'A' to the competent authority in which he resides or intends to reside, as the case may be furnishing correct and correct information and the competent authority, may, before the issue of distribution card in the Form at Annexure 'B' make or cause to be made such enquiry as he deems fit for verification of the information furnished by the applicant.

(ii) A homeless person who has no fixed or identifiable place of dwelling shall be issued a distribution card which shall be stamped with the word homeless and a distribution card for a period not exceeding three months will be issued.

(iii) Nobody shall get distribution card issued for more than a number of persons actually residing with him in the family.

(iv) The distribution card will be issued in the name of head of the family who is managing the family arrangements. Domestic servant will be issued separate card in his own name after his name is struck off from the ration card register of his own home town or such other place where he was already a ration card holder. The distribution card will be issued after charging a fee of Re. 0.50 Paise duly deposited into Government Treasury under Head 088—Social Security.

(v) Temporary distribution cards will be issued to migratories and duration of these temporary cards should not exceed more than three months.

(vi) All the controlled commodities shall be issued strictly on distribution cards and subject to the quantum fixed by Government Department by issuing notification or otherwise in this behalf from time to time.

(vii) If any card holder is shifted from one place to another he shall have to deposit his previous distribution card to the issuing authority, who will issue him a certificate to this effect enabling him to obtain new distribution card from the next authority. No person will draw ration from more than one source.

(viii) A fair price shop holder shall register distribution card issued by the competent authority in the jurisdiction of which the shop is located in the form at Annexure 'D'. He may register distribution card of other areas, if specifically permitted to do so by the District Food and Supplies Controller on request from the Card Holder.

(ix) Every fair price shop shall maintain proper record of purchase, distribution and sale of consumer articles in the prescribed form as at Annexure 'C'.

(x) *Checking of distribution card.*—All the District Food and Supplies Controllers/District Inspectors/Inspectors/Sub-Inspectors of Food and Supplies Department can check distribution cards and may cancel at the spot, if any discrepancy is found.

(xi) *Issue of duplicate distribution card.*—If the distribution card is lost, the competent authority can issue duplicate distribution card after charging a fee of Re. 1 duly deposited into Government Treasury under Head 088—Social Security etc. No fee shall be charged if the issuing authority is satisfied that the distribution card has become defaced, mutilated, illegible or otherwise rendered useless for no fault of the holder of the distribution card.

(xii) *Contravention of conditions of distribution card.*—No holder of a Distribution Card issued under this order or his agent or servant or any other person on his behalf shall contravene any of the terms and conditions of the Distribution Card or direction issued under para 7 and if any such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms, conditions, directions without prejudice to any other action that may be taken against him, his distribution card may be cancelled or suspended by order in writing by the issuing authority:

Provided that no order shall be made under this para unless the distribution card holder has been given reasonable opportunity of stating his case against the proposed cancellation or suspension.

8. Appeal.—An appeal shall be from an original order refusing to issue distribution card or cancelling or suspending the distribution card as follows:—

- (i) to the D.F.S.C. when the order is made by any ration card issuing authority subordinate to him;
- (ii) to the Deputy Director, Food and Supplies when the order is made by the D.F.S.C.

9. Revision.—The Director may on an application of any party aggrieved from the order of the appellate authority pass such an order as he thinks fit.

ANNEXURE 'A'

FORM 'A'

[See para (i)]

FORM D.I

APPLICATION FORM FOR DISTRIBUTION CARD FOR FOODGRAINS AND SUGAR

1. Name of Distribution Ward or Area.....
2. Name of road or street.....
3. (a) Name..... (b) No. of house.....
4. Name of applicant (Block letters)..... son of.....
5. Full designation or occupation with address.....
6. Date of arrival in distribution area.....
7. Reasons for proposed permanent stay in distribution area.....
8. (a) Total monthly income of family from all sources (including all allowances in case of Government servant) Rs.....

(b) Particulars about family members taking food with the applicant:

Name of applicant and other members of family living in the premises with the applicant	Relationship to the applicant	Occupation	Age			State if manual worker
			Adult (above 12 years)	Child (2—12 Years)	Infant below 2 Years	
(1)						
(2)						
(3)						
(4)						
(5)						
(6)						
(7)						
(8)						
(9)						
(10)						
(11)						

9. To be filled in respect of manual workers only:—

- (1) Exact nature of occupation
- (2) Particulars of employer including address
- (3) How long have you been employed on your present occupation

10. I do hereby solemnly affirm—

- (a) that the information given in this form is true;
- (b) that none of the persons mentioned against item No. 8 (b) are in receipt of relations from the Army;
- (c) that none of the persons mentioned against item No. 8 (b) have applied for a food-grains/sugar card separately;
- (d) that the total stocks held by the family amount of to (i) Wheat
- (ii) Wheat atta (iii) Sugar
- (e) that the applicant is the head of the family; i.e. the chief member of the household.

Note.—Applicants giving false information and persons attesting the application wrongly will render themselves liable to criminal action under the provisions of the Punjab Distribution of Foodgrains (Collection of Statistic Order, 1959 which has come into force in the whole of the State of Punjab with effect from the 4th July, 1959.

I hereby certify that the information given above is correct.

Signature of attesting person with designation and address.

Signature or thumb impression of applicant.

Dated

Dated

ACKNOWLEDGEMENT FOR APPLICATION

Serial No. of application..... Name of applicant.....

This acknowledgement should be produced on..... at.....
when a distribution card will be issued, if the application is found in order.

Dated.....

.....
Signature of recipient.

INSTRUCTIONS FOR FILLING IN THE APPLICATION

1. The application should be filled in neatly and legibly.

2. The residential address should be given in sufficient detail to enable the residence to be easily located. The number, if any, painted by the Distribution Authorities on the house should be recorded against item 3 (b) on reverse.

3. If the applicant is a Government servant, he should get the application certified by the Head of the Office. If a person is not a Government servant, he should get his application attested by a Municipal Commissioner or a Gazetted Officer in the town or any other person or class of persons specially or generally authorised by Government.

FOR OFFICE USE ONLY (NOT TO BE FILLED IN BY APPLICANT)

(1) Serial No. of application in receipt Register D. II.....

(2) No. of letter of Enquiry Officer.....

(3) Enquiry Officer's Report.....

Adults, Children, Infants, Manual Worker out of adults.

(4) Total No. in family.....

Total.....

.....
Signature of Enquiry Officer with date.

(5) Number of units sanctioned:

(i) Foodgrains per day..... (ii) Sugar per week.....

.....
Signature of Distribution Officer.

Dated.....

Code No..... Serial No..... of Distribution Card issued.

.....
Initials of official preparing the card with date.

.....
Signature or thumb impression of recipient of card.

Dated

Notes

1. Foodgrains/Sugar may be drawn either weekly or monthly at the discretion of the card-holder but foodgrains cannot be drawn more frequently than once a week. Foodgrains/Sugar may only be drawn with effect from the date from which the card is valid.

2. If foodgrains/sugar quota remains undrawn for any week/month this will lapse for that period.

3. The size of the foodgrains/sugar unit may vary from time to time.

4. Proportions of various foodgrains the quota allowed may vary from time to time.

5. Every reduction or increase in the number of persons for whom foodgrains or sugar [are/is drawn must be notified at once to the appropriate authority.

6. The holder of the foodgrains/sugar card should get every purchase recorded on the card by the dealer at the time of purchase.

7. The foodgrains/sugar card must be deposited at the office of issue when the card-holder leaves the station. He will be held responsible if as a result of non-compliance of this instruction there is an unauthorised drawal of foodgrains/sugar on this card.

Form—

Town.....

Foodgrains/Sugar/Coal Distribution Card.

1. Name of Distribution Ward/Area

2. Code No..... Serial No

3. Name of Head of family

4. Address

5. No. of members—

Adults. Children. Infants. Manual workers.

6. No. of units sanctioned (in words and figures):—

(i) Foodgrains per day.....

(ii) Sugar per week.....

7. Date from which card is valid for drawings:—

(i) Foodgrains

(ii) Sugar

8. Name and No. of retail depot at which the card holder gets his card registered:—

(i) Foodgrains..... Signature.....

(ii) Sugar..... Signature.....

9. Serial No. of retailer's Register at which registered:—

(a) Foodgrains..... (b) Sugar.....

(This column will not be filled in by the office.)

Signature or thumb mark
of card-holder.

Signature of Distributing
Officer.

Dated.....

Dated.....

QUANTITY SUPPLIED
FOODGRAINS OR ATTA OR SUGAR OR COAL

Months	1 to 7		8 to 14		15 to 21		21 to end		1st fortnight	2nd fortnight
	Wheat or Atta	Sugar	Wheat or Atta	Sugar	Wheat or Atta	Sugar	Wheat or Atta	Sugar	Coal	Coal
January	..									
February	..									
March	..									
April	..									
May	..									
June	..									
July	..									
August	..									
September	..									
October	..									
November	..									
December	..									

1200

अभिवारण राजपत्र, हिमाचल प्रदेश, 7 अगस्त 1979/17 जून, 1901

ANNEXURE 'C'

[See para 7 (viii)]

FORM D-III

REGISTER

Sl. No.	Name of Card-holder	Number of members				Code No.	Address	Signature of issuing authority
		Adult	Children	Infant	Total			
1	2	3	4	5	6	7	8	9

ANNEXURE 'D'

[See Para 7 (ix)]

FORM C

REGISTER MAINTENANCE THEREOF

Sl. No.	Name of commodity	Total quantity purchased	Total quantity sold	Balance
1	2	3	4	5

By order,
Sd/-
Secretary.

REVENUE DEPARTMENT

NOTIFICATION

Simla-171002, the 30th March, 1979

No. Rev. 1-5 (Stamp)1/78.—In supersession of this Department notification of even number, dated 13-11-1978 and in exercise of the powers conferred upon him by Section 9 of the Indian Stamp Act, 1899 (II of 1899), as in force in the State of Himachal Pradesh, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to remit in whole of Himachal Pradesh, the Stamp

Duty chargeable under the said Act on any instrument executed by the persons, who have been selected by the Government of Himachal Pradesh under the Antyodaya Scheme, in connection with the loans granted to them by the Commercial/Co-operative Banks, Himachal Pradesh Khadi and Village Industries Board and Department of Industries, Himachal Pradesh.

By order,
H. S. DUBEY,
Secretary.

HOME DEPARTMENT

NOTIFICATION

Simla-171002, the 26th March, 1979

No. 11-6/67-Home (A).—In exercise of the powers conferred by sub-section (3) of section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (Act V of 1938), the Governor, Himachal Pradesh is pleased to publish in the Official Gazette as required by sub-section (4) of section 9 of the Act *ibid* his intention to issue a notification under sub-section (2) of the said section 9 authorising the carrying out of the field firing and artillery practices during the period specified below throughout the notified area in Una district as defined in Himachal Pradesh Government Notification of even number, dated the 23rd February, 1977 and published in the Rajpatra, Himachal Pradesh (Extraordinary), dated the 25th February, 1977 for information of persons likely to be affected by this notification :—

<i>August 79</i>	<i>September 79</i>	<i>December 79</i>	<i>January 80</i>
01 to 03	03 to 04	14 to 15	01 to 02
06 to 07	06 to 07	17 to 18	04 to 05
09 to 11	10 to 12	21 to 22	07 to 09
13 to 14	14 to 15	24 to 26	11 to 12
16 to 18	17 to 19	28 to 29	14
20 to 22	21 to 22		16 to 18
24 to 25	24 to 25		21 to 23
28 to 31	27 to 29		28 to 30
<i>February 80</i>	<i>March 80</i>	<i>May 80</i>	<i>June 80</i>
01 to 02	03 to 05	01 to 03	02 to 04
04 to 06	07 to 08	05 to 07	06 to 07
08 to 09	10 to 12	09 to 10	09 to 11
11 to 13	14 to 15	12 to 14	13 to 14
15 to 16	17 to 19	16 to 17	16 to 18
18 to 20	21 to 22	19 to 21	
22 to 23	24 to 26	23 to 24	
25 to 26	28 to 29	26 to 28	
28 to 29	31	30 to 31	

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.